

[Rollcall Vote No. 129 Leg.]

## YEAS—92

Alexander	Feinstein	Murkowski
Ayotte	Fischer	Murphy
Baldwin	Flake	Murray
Barrasso	Franken	Nelson
Bennet	Gardner	Paul
Blumenthal	Gillibrand	Perdue
Blunt	Graham	Peters
Booker	Grassley	Portman
Boozman	Hatch	Reed
Boxer	Heinrich	Reid
Brown	Heitkamp	Risch
Burr	Heller	Rubio
Cantwell	Hirono	Sanders
Capito	Hoeven	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Shaheen
Cassidy	King	Shelby
Coats	Kirk	Stabenow
Collins	Klobuchar	Sullivan
Coons	Lankford	Tester
Corker	Leahy	Thune
Cornyn	Manchin	Tillis
Cotton	Markey	Toomey
Crapo	McCain	Udall
Cruz	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wyden
Ernst	Moran	

## NAYS—2

Lee Sasse

## NOT VOTING—6

Cochran Roberts Sessions  
Inhofe Rounds Wicker

The conference report was agreed to.  
The PRESIDING OFFICER. The Senator from Arizona.

## MORNING BUSINESS

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## VENUE ACT

Mr. FLAKE. Mr. President, I come to the floor to speak in support of legislation I introduced, the Venue Equity and Non-Uniformity Elimination Act, or VENUE Act, that addresses patent venue reform.

Patents are an important part of our economy and are vital to promoting innovation and spurring growth, but the patent system is at risk. There is an ever-increasing problem of patent lawsuits brought by nonpracticing entities, also known as patent trolls. This problem is exacerbated by plaintiffs being able to handpick friendly judicial venues that are otherwise unrelated to the alleged infringement. An article in the Harvard Business Review states that “patent trolls cost defendant firms \$29 billion per year in direct out-of-pocket costs” and “in aggregate, patent litigation destroys over \$60 billion in firm wealth each year.”

It is clear these types of abuses impose substantial costs on the economy and simply cannot be ignored any longer.

Additionally, according to a 2013 White House patent report, the bulk of

patent troll suits target small and investor-driven companies. This is a real threat to innovation.

The VENUE Act addresses this issue and ensures that patent cases are litigated where there is a connection to the patent dispute. Under the VENUE Act, in order for a case to be properly litigated, it must be brought where either, No. 1, the defendant has a principal place of business or, No. 2, the alleged infringing act occurred or, No. 3, where the inventor conducted research and development that led to the patent.

In addition to the provisions relating to proper venue, the VENUE Act provides a more streamlined avenue for those seeking review of erroneous venue determinations. I believe my legislation strikes the right balance for determining when venue is proper, but I also understand that addressing venue is just one piece of the puzzle when we are talking about overall patent reform.

There are a number of ways patent reform can be achieved, and that is why I support the principles of the PATENT Act and believe it goes a long way in combatting this growing problem. The PATENT Act includes much needed reforms, such as fee shifting, heightening pleading standards, and customer stays that would provide relief to retailers, small businesses, and startups that are constantly under assault by these nonpracticing entities.

I commend Chairman GRASSLEY for ushering that legislation out of the Judiciary Committee. However, one piece missing from that comprehensive package is venue reform. Such a reform was included in the House version of the patent bill, and I believe it needs to be added to the Senate bill as well. All one has to do is look at the numbers and the problem surrounding venue becomes clear.

In 2009, 9 percent of all U.S. patent cases were filed in one particular Federal district. By comparison, in 2015, that number increased to just over 44 percent. That is an increase of over 400 percent. Again, the increase went from 9 percent in 2009 to 44 percent in 2015. In addition, of the cases brought in that Federal district in 2015, 95 percent of those cases were brought by nonpracticing entities. Such a distortion in case distribution is problematic, especially when the venue has no real connection to the alleged infringement at issue.

One hope for relief was the Federal circuit case in TC Heartland, but after the court's decision on April 29 declined to impose more stringent venue restrictions in patent cases, it appears judicial relief will have to wait. Therefore, this decision has only made the need for congressional action on venue even more important. I hope it will bring renewed attention to patent venue reform and the VENUE Act in the Senate.

While there are a number of solutions to the overall patent troll problem,

venue reform is of the utmost importance and must be central to any larger reform effort.

I urge my colleagues to support the reforms contained in the VENUE Act, and I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

# INVESTIGATION INTO ALLEGATIONS OF FBI-FACILITATED RANSOM PAYMENTS

Mr. GRASSLEY. Mr. President, I rise today to speak about allegations that the FBI has facilitated ransom payments to terrorist groups. Unfortunately, the administration has been stonewalling the Senate Judiciary Committee's investigation into the matter.

We have seen many terrible terrorist attacks recently. The government's highest duty is to provide for national security. That means fighting the radical Islamic terrorist groups that mean us harm.

An important part of fighting radical Islamic terrorist groups is going after their funding. The U.S. Government should do everything it can to stop money from flowing to groups like al Qaeda and ISIS.

The government has had significant successes in fighting terrorist funding. Ransom payments for hostages are one of the key sources of funds for terrorist groups to raise money.

The government should not be participating in helping to make such payments. Yet, in April of last year, the Wall Street Journal reported that the FBI had helped facilitate a \$250,000 ransom payment to al Qaeda.

It was from the family of kidnapped aid worker Warren Weinstein back in 2012. That report was later confirmed by 60 Minutes in an interview with Dr. Weinstein's widow.

Around the same time as that Wall Street Journal article, Army LTC Jason Amerine contacted Judiciary Committee staff. He is a decorated war hero who reached out to Congressman HUNTER, Senator JOHNSON, and to my office, to raise concerns about ineffective hostage-recovery efforts. He alleged that the FBI was involved in a ransom payment made in an effort to recover SGT Bowe Bergdahl.

To be clear, the U.S. Government should take all appropriate measures to recover American hostages.

But those measures cannot include ransom payments that end up funding more terrorist operations.

Ransom payments are big business for terrorist groups. According to a 2014 investigation by the New York Times, Al Qaeda and its affiliates have taken in at least \$125 million from kidnapping for ransom since 2008.

ISIS also takes in huge amounts from ransom payments. The United Nations estimated that ISIS collected between \$35 and \$45 million in ransom payments in 2014 alone.

This is a serious threat to our national security.